

IN RE: PETITION FOR SPECIAL HEARING
SW/8 Hillendale Heights Road,
750' SE of c/1 of Jarrettsville
Pike
10th Election District
6th Councilmanic District
Overshot Limited Partnership
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No.: 90-183-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the fourth amendr at to the Final Development Plan for Overshot, as more fully described in Petitioner's Exhibit No. 1.

The Petitioner, by Stephen R. Smith, Vice President of Gaylord Brooks Realty Company, the General Partner for Overshot Limited Partnership, appeared and was represented by Stephen J. Nolan, Esquire. Also appearing on behalf of the Petition were Charles K. Stark, a Registered Land Surveyor with George W. Stephens, Jr. and Associates, Inc., John A. Menton, Vice President and Manager for Gaylord Brooks, and Mr. Clifford Chiemmi, one of the existing Overshot homeowners whose lot adjoins the area affected by the requested amendment. There were no Protestants and, therefore, the Petitioner's counsel was permitted to proffer the testimony of its four (4) witnesses.

The subject property consists of 176.988 acres in the Jacksonville section of Baltimore County and consists of 35 lots and Tract A. The main purpose of this fourth amendment to the Final Development Plan is to approve the elimination of Tract A by conveying portions of that Tract A to adjacent Lots 12, 13, 30 and 31 with the result that those lots will become

enlarged accordingly. Much of the area involved is wetlands and drainage and utility easement area. There will be no changes in the density tabulations and the Petitioner proposes to incorporate a reference restricting future development as well as a reference to this case in the deeds for the four proposed outconveyances.

Section 1B01.3A.7.1c.iv. provides that "The Zoning Commissioner and the Director of Planning must certify the amendment is in keeping with the spirit and intent of this article and other Baltimore County land use and development requirements administered by them, and both must certify that the amendment does not violate the spirit and intent of the original plan." The proposed amendment for Overshot is in keeping with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of December, 1989 that the Petition for Special Hearing to approve the 4th Amendment to the Final Development Plan for Overshot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are condition precedents to the relief granted herein:

1. No further development of Tract A shall be permitted and provisions restricting future development of the subject area as described in Petitioner's Exhibit 1 shall be incorporated in the deeds for the portions of Tract A being conveyed to the owners of Lots, 12, 13, 30 and 31;
2. Petitioner shall file copies of the above-described deeds with the Zoning Office and those deeds shall also incorporate an express reference to this Order and this zoning case.
3. Petitioner shall comply with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), which are adopted in their entirety and made a part of this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 183
Overshot Limited Partnership, Item 34

DATE: November 3, 1989

The Petitioner requests a Variance to approve the 4th Amended Final Development Plan.

Staff does not oppose the Petitioner's request, however, a recommendation is offered to restrict the clearing of vegetation or disturbance of buffers in accordance with D.E.P.R.M. policies regarding stream, wetland and floodplain buffers. (See attached.)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1
ZPVARIOU

11/7/89 mailed late Connors jms

NOV 08 1989

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the 4th Amended Final Development Plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 823-7853

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of Sept, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20 day of NOV, 1989, at 9:30 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2HR.
AVAILABLE FOR HEARING - 1HR.
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: MKK DATE: 7/20/90

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the 4th Amended Final Development Plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 823-7853

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of Sept, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20 day of Nov, 1989, at 9:30 o'clock A.M.

E.C.O.-No.1

(over)

STREAM, WETLAND AND FLOODPLAIN BUFFER REQUIREMENTS

Department of Environmental Protection
and Resource Management

INTRODUCTION:

The purpose of wooded buffers is to protect Baltimore County's streams, wetlands and floodplains; to protect Baltimore County's riparian ecosystems; and to provide environmentally sound use of Baltimore County's land resources.

Multiple environmental protection and resource management values are provided by wooded buffers. Buffers enhance and protect the natural ecology of stream systems; water quality; wildlife habitat; other natural resources including aesthetic-scenic natural features; environmentally sensitive areas; such as aquifer recharge areas; and flora and fauna preservation sites.

Wooded buffers adjacent to stream systems can do the following:

1. Restore and maintain the chemical, physical and biological integrity of the water resources;
2. Filter nutrients and toxics;
3. Reduce erosion and control sedimentation;
4. Stabilize stream banks;
5. Provide infiltration of stormwater runoff;
6. Maintain base flow of streams;
7. Provide forest areas to shade streams and encourage trout and other desirable aquatic species;
8. Provide riparian wildlife habitat;
9. Provide scenic value and recreational opportunity; and
10. Minimize public investment in waterway restoration, stormwater management and other public water resource expenditures.

DEFINITIONS:

Department: The Department of Environmental Protection and Resource Management is termed the "Department".

100-year Floodplain: Means that land which is inundated by the storm water runoff created by a 100-year frequency rainfall event (which is an event which has a one percent chance of occurrence in any year) and which is based on maximum development of the watershed using the current

1. Livestock shall not be permitted to be housed, grazed or otherwise maintained within buffer areas. Additionally, dog kennels shall not be allowed within these areas.
2. No motorized vehicles shall be stored or operated within the buffer areas, except for maintenance and emergency use.
3. The existing vegetation within the buffer areas shall not be disturbed. This would include, but is not limited to, disturbance by tree or shrub removal or clearing, mowing, burning, spraying and grazing.
4. No soil disturbance shall take place within the buffer areas by grading, stripping of topsoil, plowing or cultivating, or other practices.
5. No filling shall occur within the buffer areas.
6. The use or application of pesticides is prohibited within the buffer areas, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service.
7. No materials shall be stored within the buffer areas.
8. Buffer areas shall not be drained by ditching, under drains, or other drainage systems.
9. Public utilities, storm drain and/or storm water management facilities and road crossings are permitted within the buffer provided that it is clearly demonstrated that no other feasible alternatives exist and that minimal disturbance takes place. Following any disturbance, the impacted area shall be restored to its original condition. Maintenance roads are exempt from the restoration requirement.
10. Where these buffer management policies are in conflict with other development regulations and policies regarding development on steep slopes, erodible soils, wetlands, floodplains, or streams, the more restrictive shall apply.

BUFFER AREA CALCULATION:

- A. A stream system buffer shall consist of a wooded strip of land extending along both sides of a stream and its adjacent wetland and floodplain.
- B. For a first or second order stream, the buffer shall be measured from the centerline. For all higher order streams, the buffer shall be measured from the stream bank or normal to low channel bank-full flow.

C. The Director of the Department may require screening, fencing or marking of the buffer.

AGRICULTURE:

The Baltimore County Soil Conservation District, assisted by the local staff of the Soil Conservation Service, has developed a system of best management practices and administrative procedures in order to adequately buffer streams from agricultural related impacts. In consideration of the expressed desire of the Baltimore County Soil Conservation Service to administer the establishment of a vegetated buffer within the agricultural areas of the County, the District will be responsible for the establishment of buffers consistent with the intent and purpose of buffers as expressed herein.

In the event that there are stream degradation problems resulting from agricultural practices and the basic purposes of these buffer requirements are not being met, this Department will pursue correction of these stream degradation problems in conjunction with the Maryland Department of the Environment and the Baltimore County Soil Conservation District.

VARIANCES:

A variance may be granted by the Director of the Department in those cases where a strict compliance with the buffer or setback provisions would result in practical difficulty or unreasonable hardship due to the size of some other physical dimension of a parcel. A variance may also be granted for those projects serving a public need where no feasible alternative is available. The Director of the Department may require site planning, landscape design, fencing, the placement of signs, or water quality "best management practices" to reduce adverse impact on the adjacent stream.

Description of Overshot,
Containing 176.988 acres of land more or less.

August 6, 1986

Beginning for the same at a point on the southwest side of Hillendale Heights Road, 70 feet wide, conveyed unto Baltimore County, Maryland by Hillendale Heights et al, by deed dated January 9, 1976, recorded among the Land Records of Baltimore County, Maryland in E.N.K., Jr. 5617 folio 814 and shown on Baltimore County Bureau of Land Acquisition Plat RW 75-113-1, said place of beginning being at the end of the 3rd or North 64° 33' 40" West 715.38 foot line of that parcel of land described in a deed dated January 22, 1963, between J. Cathryne Spring, widow, also known as J. Catherine Spring and Hillendale Heights et al, recorded among the Land Records of Baltimore County, Maryland in Liber R.R.G. 4100 folio 179, running thence leaving said place of beginning binding for part of the distance of the southwest side of said Hillendale Heights Road and binding reversely on all of said 3rd line, in all, as now surveyed, 1) South 71° 59' 48" East 715.03 feet, running thence binding reversely on the 2nd and 1st lines of said deed (R.R.G. 4100 folio 179), the two following courses, as now surveyed, viz: 2) South 71° 57' 10" East 1835.43 feet and 3) South 20° 03' 43" West 805.20 feet to the northernmost corner of that parcel of land shown on a plat dated July 5, 1955, entitled "Blenheim Forest", recorded among the Plat Records of Baltimore County, Maryland in Plat Book G.L.B. 21 folio 57, running thence binding for part of the distance on the western outline shown on said plat (G.L.B. 22 folio 57) and binding reversely on the 22nd and 21st lines of said deed (R.R.G. 4100 folio 179), in all, the two following courses, as now surveyed, viz: 4) South 17° 28' 14" West 1320.00 feet and 5) South 02° 50' 36" East 495.00 feet, running thence binding reversely on the 20th, 19th, and 18th lines of said deed (R.R.G. 4100 folio 179), the three following courses, as now surveyed, viz: 6) North 69° 50' 11" West 2721.59 feet, 7) North 80° 14' 51" West 1251.54 feet and 8) North 25° 09' 45" West 551.53 feet to a point in the center of Jarrettsville Pike (Maryland Route 146), running thence binding on said center of Jarrettsville Pike and binding reversely on the 17th line of said deed (R.R.G. 4100 folio 179), as now surveyed, 9) North 59° 55' 15" East 50.18 feet, running thence leaving said center of Jarrettsville Pike, binding reversely on the 16th line of said deed (R.R.G. 4100 folio 179), as now surveyed, 10) South 25° 09' 45" East 307.14 feet, running thence binding reversely on the 15th, 14th and 13th lines of said deed (R.R.G. 4100 folio 179), and binding on the rear lines of lots fronting on Jarrettsville Pike, which were heretofore conveyed by J. Cathryne Spring and husband, the three following courses, as now surveyed, viz: 11) North 57°

Description of Overshot,
Containing 176.988 acres of land more or less.

August 6, 1986
Page -2-

05° 15' East 100.92 feet, 12) North 64° 50' 15" East 754.67 feet and 13) North 53° 46' 15" East 514.48 feet to the southwest side of a 50 foot road, heretofore laid out, running thence binding reversely on the 12th line of said deed (R.R.G. 4100 folio 179), and binding for part of the distance on the southwest side of said 50 foot road, as now surveyed, 14) North 38° 08' 15" West 300.17 feet to the center of said Jarrettsville Pike, running thence binding reversely on the 11th line of said deed (R.R.G. 4100 folio 179) and binding on said center of Jarrettsville Pike, as now surveyed, 15) North 53° 46' 15" East 50.03 feet to a point in line with the northeast side of said 50 foot road, running thence leaving said center of Jarrettsville Pike, binding reversely on the 10th line of said deed (R.R.G. 4100 folio 179) and binding for part of the distance on the northeast side of said 50 foot road, as now surveyed, 16) South 38° 08' 15" East 300.17 feet, running thence leaving the northeast side of said 50 foot road, binding reversely on the 9th line of said deed (R.R.G. 4100 folio 179) and binding on the rear lines of lots fronting on Jarrettsville Pike, which were heretofore conveyed by J. Cathryne Spring and husband, as now surveyed, 17) North 53° 46' 15" East 806.79 feet to the southwest side of a 50 foot road, heretofore laid out, running thence binding reversely on the 8th line of said deed (R.R.G. 4100 folio 179) and binding for part of the distance on the southwest side of said 50 foot road, as now surveyed, 18) North 59° 26' 45" West 347.40 feet to the center of said Jarrettsville Pike, running thence binding reversely on the 7th and 6th lines of said deed (R.R.G. 4100 folio 179) and binding on said center of said Jarrettsville Pike, the two following courses, as now surveyed, viz: 19) North 42° 53' 15" East 25.99 feet and 20) North 30° 08' 15" East 24.61 feet to a point in line with the northeast side of said 50 foot road, running thence leaving said center of Jarrettsville Pike, binding reversely on the 5th line of said deed (R.R.G. 4100 folio 179) and binding for part of the distance on the northeast side of said 50 foot road, as now surveyed, 21) South 59° 26' 45" East 353.18 feet, running thence binding reversely on the 4th line of said deed (R.R.G. 4100 folio 179) and binding on the rear lines of lots fronting on Jarrettsville Pike, which were heretofore conveyed by J. Cathryne Spring and husband, as now surveyed, 22) North 13° 27' 15" East 698.58 feet to the place of beginning.

Containing 176.988 acres of land more or less.

Subject to the rights of others in Jarrettsville Pike.

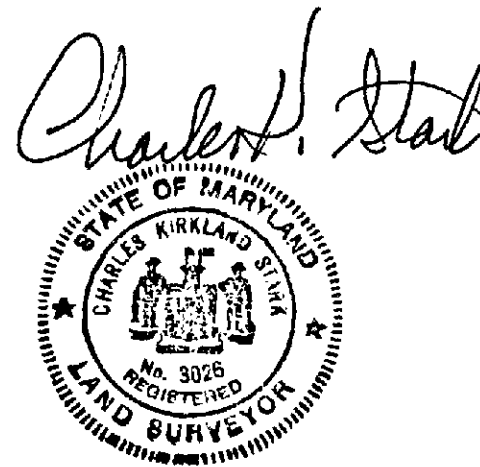
Also subject to and together with the right and use thereof in common with others entitled thereto of the two 50 foot roads referred to in the hereinabove described parcel of land and mentioned in said deed R.R.G. 4100 folio 179.

Description of Overshot,
Containing 176.988 acres of land more or less.

August 6, 1986
Page -3-

Being all of that parcel of land described in a deed dated January 22, 1963, between J. Cathryne Spring, widow, also known as J. Catherine Spring and Hillendale Heights et al, recorded among the Land Records of Baltimore County, Maryland in Liber R.R.G. 4100 folio 179.

Also being all of that parcel of land shown on a set of three plats, entitled "Plat One Overshot", "Plat Two Overshot", and "Plat Three Overshot", all dated May 27, 1986, intended to be recorded among the Plat Records of Baltimore County, Maryland.



CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct. 25, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct. 25, 1989.

TOWSON TIMES,

S. Zabe Olson
Publisher

PO 18382
reg M34261
price \$109.58

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct. 27, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct. 26, 1989.

THE JEFFERSONIAN,

S. Zabe Olson
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10th
Posted for: Special Hearing
Petitioner: Overshot Limited Partnership
Location of property: SW/4 of Hillendale Heights Rd. 750' SE of c/l Jarrettsville Pike
Location of Sign: SW/4 of Hillendale Heights Rd. at Jarrettsville Pike
Remarks: Notice of Hearing
Posted by: M. Hines
Number of Signs: 1
Date of Posting: 10/27/89
Date of return: 11/01/89

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 10/31/89



Dennis P. Rasmussen
County Executive

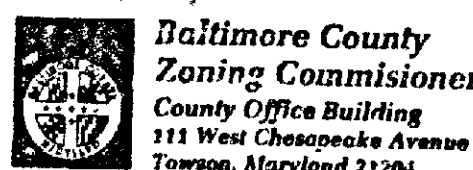
Overshot Limited Partnership
c/o Gaylord Brooks Realty Company
P. O. Box 193
Phoenix, Maryland 21131

ATTN: Stephen R. Smith

Re: Petition for Special Hearing
CASE NUMBER: 90-183-SH
SW/4 of Hillendale Heights Road, 750' SE of c/l Jarrettsville Pike
10th Election District - 8th Councilmanic
Petitioner(s): Overshot Limited Partnership
HEARING: MONDAY, NOVEMBER 20, 1989 at 9:30 a.m.

Gentlemen:
Please be advised that \$ 134.58 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL AFTER THE HEARING.



Baltimore County
Zoning Commissioner
County Office Building
211 West Chesapeake Avenue
Towson, Maryland 21204

Account: R001-6150
Number

receipt

No 347

90-183

Date

11/17/89

MY000093

PUBLIC HEARING FEES

QTY

PRICE

080 - POSTING SIGNS / ADVERTISING : X \$134.58

LAST NAME OF OWNER: OVERSHOT LTD PART

TOTAL: \$134.58

Cashier Validation

8 R014*****134581a 2704F

Please make checks payable to Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 10, 1989

NOTICE OF HEARING



Dennis P. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-183-SH
SW/4 of Hillendale Heights Road, 750' SE of c/l Jarrettsville Pike
10th Election District - 8th Councilmanic
Petitioner(s): Overshot Limited Partnership
HEARING: MONDAY, NOVEMBER 20, 1989 at 9:30 a.m.

Special Hearings To approve the 4th Amended Final Development Plan.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Overshot Limited Partnership
Stephen J. Nolan, Esq.
File

NOV 20

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Zoning Commissioner
DATE: November 3, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 183
Overshot Limited Partnership, Item 34

The Petitioner requests a Variance to approve the 4th Amended Final Development Plan.

Staff does not oppose the Petitioner's request, however, a recommendation is offered to restrict the clearing of vegetation or disturbance of buffers in accordance with D.E.P.R.M. policies regarding stream, wetland and floodplain buffers. (See attached.)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1
ZPVARI0U

11/7/89 mailed late comments per

NOV 08 1989

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

AUGUST 11, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: OVERSHOT LIMITED PARTNERSHIP
Location: SW/S OF HILLENDALE HEIGHTS ROAD
Item No.: 34 Zoning Agenda: AUGUST 8, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Cap. Kelly 8-11-89*
Planning Group
Special Inspection Division

Noted and
Approved

Cap. Wm. Brady
Fire Prevention Bureau

JK/KEK

AUG 16 1989

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

RECEIVED
AUG 31 1989

ZONING OFFICE



Dennis F. Rasmussen
County Executive

August 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, and 42.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 4, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Overshot Limited
Partnership
Zoning Meeting of 8-8-89
SW/S Hillendale Heights
750' East of
Jarrettsville Pike
(MD 146)
(Item #34)

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve the 4th amended final development plan, we find the plan acceptable.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Creston J. Mills - J. M.

Creston J. Mills, Jr., Chief
Engineering Access Permits
Division

LB:maw

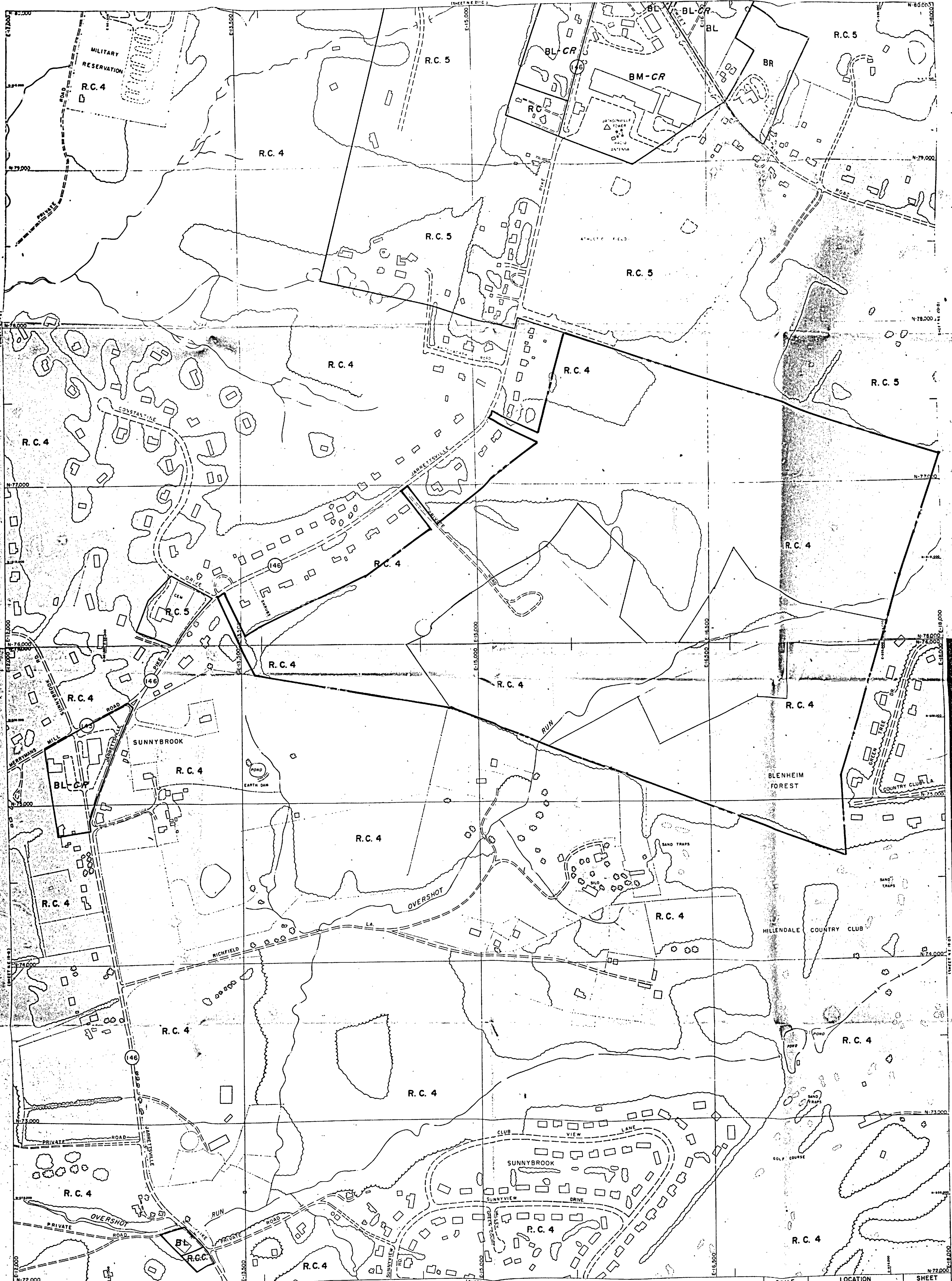
cc: G. W. Stephens Jr. & Assoc., Inc.
Mr. J. Ogle

RECEIVED
AUG 9 1989

ZONING OFFICE

My telephone number is (301) 333-1350 (Fax Number 333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



U-NW U-NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
SUN 144-08, 145-08, 146-08, 147-08, 148-08, 149-08, 150-08

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

#34

SCALE	LOCATION	SHEET
1" = 200'	SUNNYBROOK	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986		19-C

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

[Signature]
Chairman, County Council

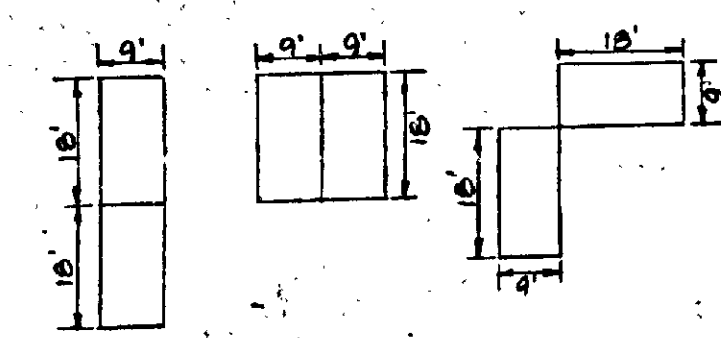
DENSITY TABULATION

GROSS AREA	177.06 AC.±
NET AREA	176.99 AC.±
EXISTING DENS.	RC-4
LOTS PERMITTED	171.06 AC.± x 0.2 = 364
LOTS PROPOSED	35
MINIMUM AREA PER LOT	5 ACRES

RC-4 LOTS SUBJECT TO 100' SETBACK FROM & STREET AND 50' SIDE AND REAR SETBACKS.

NOTE: LOT PURCHASER SHOULD VERIFY LOCATION OF 10,000 GPD SEPTIC DRAINAGE AREA AND WATER WELL AREA WITH THE BALTIMORE COUNTY HEALTH DEPT. MASTER PLAN FOR OVERSHOT BEFORE DETERMINING THE HOUSE LOCATION.

C.R.S. APPROVAL 3/19/86



LEGEND

- LOT NO.
- HOUSE NO.
- TRACT BOUNDARY
- UTILITY EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- ADT COUNTS SHOWN THUS
- REFUSE CONTAINER
- STREET LIGHTS
- WELL AREA
- SEPTIC AREA



DETAIL FOR REFUSE CONTAINERS

NO SCALE

■ DENOTES REFUSE CONTAINER

MIN. 10' SETBACK

STREET LIGHT DETAIL

NO SCALE

EXIST. GROUND
PROPOSED GRADE
± 10% ±

PETITIONER'S EXHIBIT 1

SCALE: HOR. 1"=200'
VERT. 1"=10'

4TH AMENDED FINAL DEVELOPMENT PLAN #34 OVERSHOT

BALTO. CO. MD.
SCALE: 1"=100'

REV. 12/1/86
REV. 1/1/87
REV. 1/1/89

DATE: JUNE 23, 1986
REV. 1/1/89, MDC (WETLANDS LIMITS ACQ.)
REV. 1/1/89, MDC (WETLANDS LIMITS ACQ.)

DIRECTOR OF PLANNING
PLANNING COMMISSIONER

3RD AMENDED NOTES

1. REVISED LOCATION PERC AREA LOT 34
2. REVISED WELL AREA - ADDED WELL LOT 30
3. ADDED PERCENTS LOT 35
4. NO LOTS SOLD WITHIN 300'

4TH AMENDED NOTES

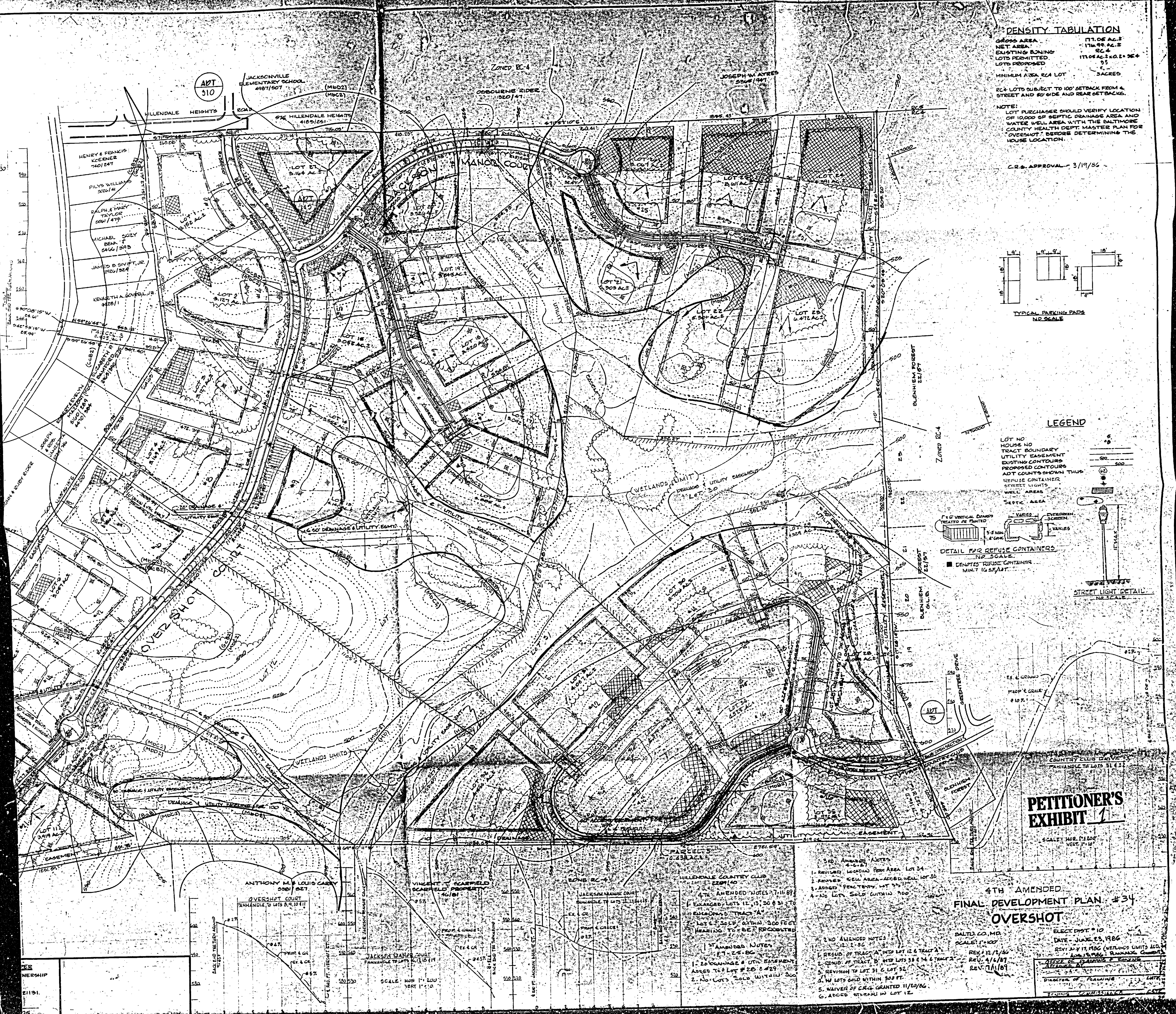
1. EXCHANGED LOTS 12, 13, 30 & 31 TO ENCLADON'S TRACT 'A'
2. LOTS 12, 13, 30 & 31 WITHIN 300 FEET HEARING TO BE RECORDED

1ST AMENDED NOTES

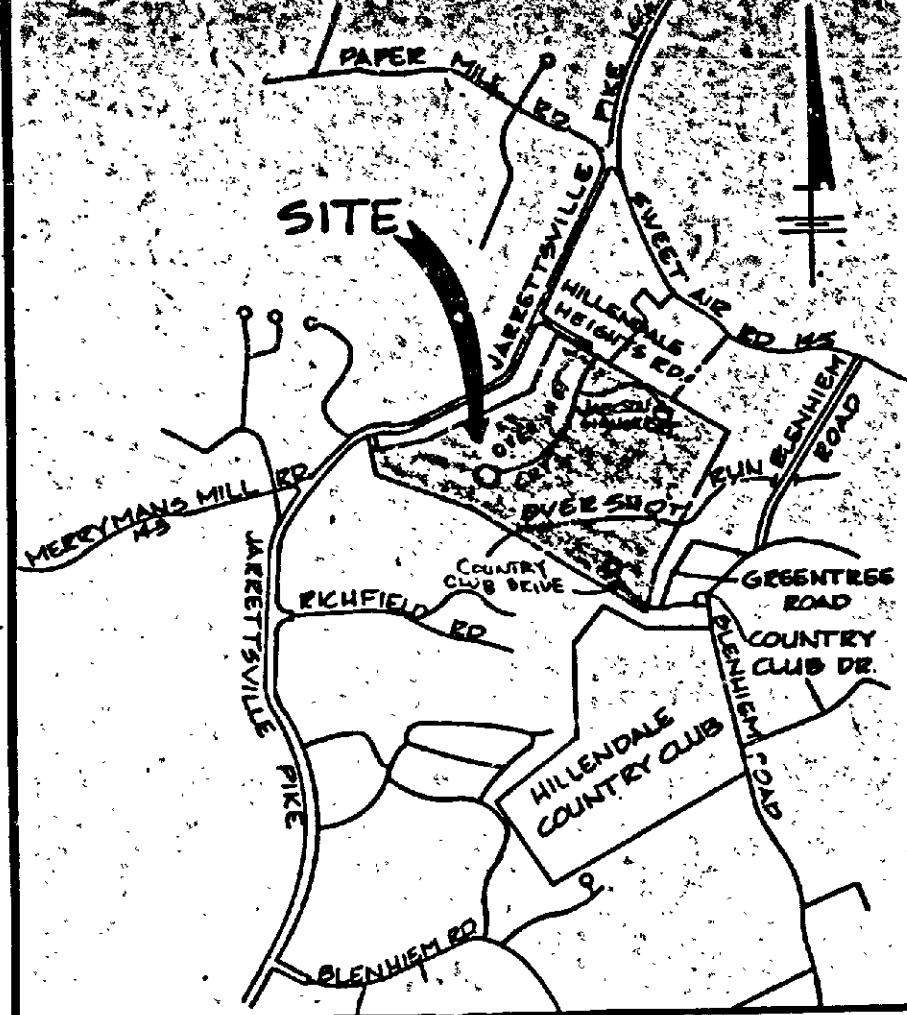
1. 20' DRAINAGE & UTILITY EASEMENT ADJACENT TO LOT #26 & 27
2. NO LOTS SOLD WITHIN 300'

2ND AMENDED NOTES

1. RESULT OF TRACT 'A' INTO LOT 12 & TRACT 'A'
2. RESULT OF TRACT 'B' INTO LOTS 30 & 31 & TRACT 'B'
3. REVISION TO LOT 31 & LOT 32
4. NO LOTS SOLD WITHIN 300'
5. WAIVER OF C.R.G. GRANTED 11/10/86
6. ADDED STREAM IN LOT 12



21131



LOCATION MAP
SCALE: 1"=2000'

- GENERAL NOTES:**
1. MINIMUM LOT SIZE: 3 ACRES. MINIMUM DIAMETER DIMENSION: 300 FT.
 2. ALL LOTS SHOWN HEREON ARE FOR SALE.
 3. PRIVATE WATER AND SEPTIC SYSTEMS TO BE INSTALLED IN ACCORDANCE WITH BALTIMORE COUNTY HEALTH DEPARTMENT REGULATIONS.
 4. THERE SHALL BE NO MASS GRADING OF SITE.
 5. THERE SHALL BE NO CLEAR CUTTING OF TREES ON ANY LOT.
 6. ONLY DEAD OR DAMAGED TREES OR TREES NECESSARY FOR THE CONSTRUCTION OF HOMES, DRIVES, WELLS AND SEPTIC SYSTEMS ARE TO BE REMOVED.
 7. NO MORE THAN 25% OF VEGETATIVE COVER MAY BE REMOVED IN AN RC-4 ZONE.
 8. MINIMUM GRADING SHALL BE PERFORMED AS REQUIRED FOR THE CONSTRUCTION OF HOMES AND DRIVES ON ANY LOT.
 9. PLANTING ON EACH LOT TO BE PROVIDED BY THE OWNER OF EACH LOT.
 10. MAJOR VEGETATION: 70% WOODED, 30% WEEDS AND SCRUBS.

11. PAVING SECTION FOR OVERSHOT COURT AND JACKSON MANOR COURT TO BE 8" CR-4; 3" MACADAM SURFACE WITH EXTRUDED CURB. COUNTRY CLUB DRIVE TO BE 8" CR-4; 3" MACADAM SURFACE OPEN SECTION.
12. PAVEMENT SHOWN HEREON ARE PRIVATE AND ARE SUBJECT TO RIGHT OF WAY AGREEMENTS AND MAINTENANCE PARTICIPATION COVENANTS TO BE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY.
13. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF THE PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTION 400 AND 501 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
14. REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE TO BE PROVIDED BY BALTIMORE COUNTY.
15. NO OPEN SPACE REQUIRED.
16. NO MORE THAN 10% OF ANY LOT IN AN RC-4 ZONE MAY BE COVERED WITH AN IMPERMEABLE SURFACE.
17. ALL DRIVEWAYS AND PANHANDLES WILL BE PAVED WITH BITUMINOUS CONCRETE.
18. NO CLEARING OR GRADING WITHIN WETLANDS LIMITS.

ZONING COMMISSIONER'S NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATIONS OF THE ZONING REGULATIONS THAT IT COMPLIES WITH PRESENT POLICY DENSITY AND BULK CONTROLS AS THEY ARE DESIGNATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN.

WALVER OF 24' PAVING TO 20' PAVING IN JACKSON MANOR COURT AND PART OF OVERSHOT COURT HAS BEEN ATTAINED FOR.

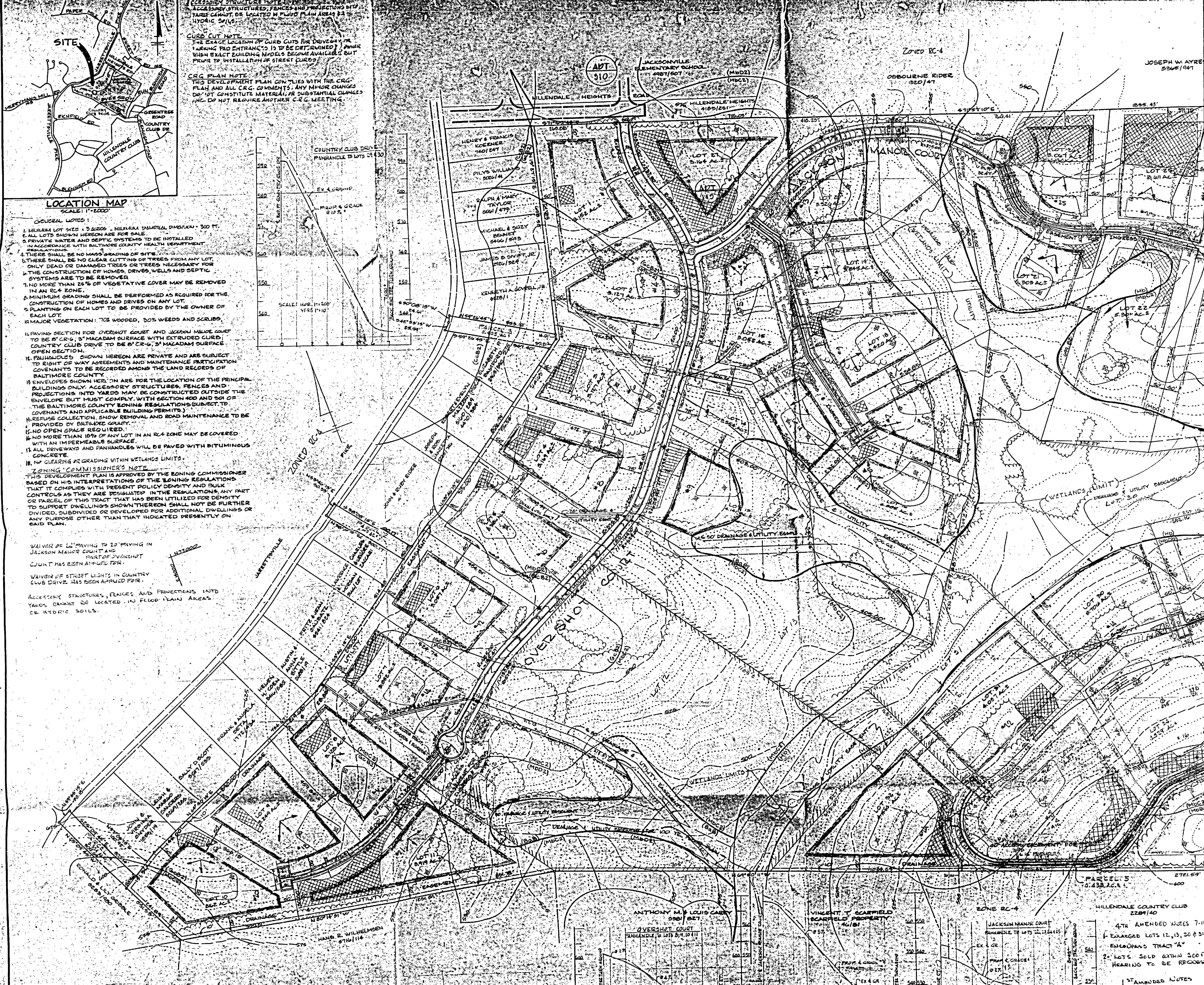
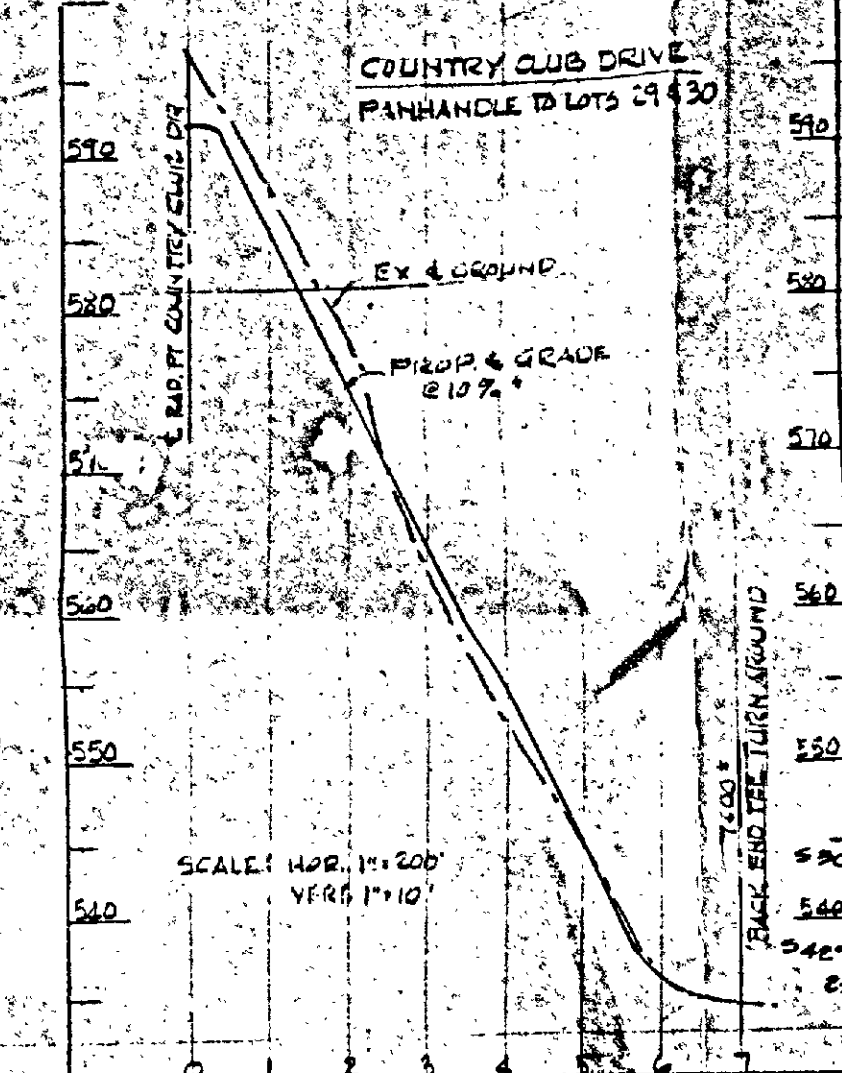
WALVER OF STREET LIGHTS IN COUNTRY CLUB DRIVE HAS BEEN APPLIED FOR.

ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.

ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.

CURB CUT NOTE:
THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO INSTALLATION OF STREET CURBS.

CRG PLAN NOTE:
THIS DEVELOPMENT PLAN COMPLIES WITH THE CRG PLAN AND ALL CRG COMMENTS. ANY MINOR CHANGES DO NOT CONSTITUTE MATERIAL OR SUBSTANTIAL CHANGES AND DO NOT REQUIRE ANOTHER CRG MEETING.



ENGINEER
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
305 ALLEGANY AVENUE
THUNDERBOLT, MARYLAND 21158
410-281-1100

CHARLES D. STEPHENS
ASSOCIATE
3/26/86
REG. NO. 6/20/86
DATE

OWNER / DEVELOPER
OVERLOOK LTD PARTNERSHIP
P.O. BOX 193
PHOENIX, MARYLAND 21131
441-0000
PART OF DEED 976/105

ANTHONY M. LOUIS GARY
2001/027
OVERSHOT COURT
PANHANDLE TO LOTS 21 & 30
SCALE: HORIZ. 1"=200'
VERT. 1"=10'

VINCENT SCARFIELD
2001/027
JACKSON MANOR COURT
PANHANDLE TO LOTS 21 & 30
SCALE: HORIZ. 1"=200'
VERT. 1"=10'

JACKSON MANOR COURT
PANHANDLE TO LOTS 21 & 30
SCALE: HORIZ. 1"=200'
VERT. 1"=10'

JACKSON MANOR COURT
PANHANDLE TO LOTS 21 & 30
SCALE: HORIZ. 1"=200'
VERT. 1"=10'

JACKSON MANOR COURT
PANHANDLE TO LOTS 21 & 30
SCALE: HORIZ. 1"=200'
VERT. 1"=10'

4TH AMENDED NOTES 7-11-87
1. ENLARGED LOTS 12, 13, 30 & 31 TO ENCOMPASS TRACT "A"
2. LOTS SOLD WITHIN 200 FEET HEARING TO BE RECORDED

1ST AMENDED NOTES 7-25-86
1. 20' DRAINAGE & UTILITY EASEMENT ADDED TO LOT #28 & #29
2. NO LOTS SOLD WITHIN 300'